



IMI REPORT

Number: 9842.1

CPC - Notification of refusal to comply with a request for information - Art. 14(1)

Notification summary

	Notification of refusal to comply with a request for information - Art. 14(1)
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Recipient selection

Member State of the authority, which sent the refused request	Italy
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Compliance with the request

	The requested authority refuses to comply with the request for information initiated by Art. 11 of the CPC Regulation.
Justification(s) for the refusal	(a) following a consultation with the applicant authority, it appears that the information requested is not needed by the applicant authority to establish whether an intra-Union infringement has occurred or is occurring, or to establish whether there is a reasonable suspicion that it may occur; (b) the applicant authority does not agree that the information is subject to the rules on confidentiality and on professional and commercial secrecy laid down in Article 33 the CPC Regulation; (c) criminal investigations or judicial proceedings have already been initiated against the same trader in respect of the same intra-Union infringement before the judicial authorities in the Member State of the requested authority or of the applicant authority
Further details about the reason of the refusal	(en) Sample

Reference dates and information

This notification was sent by	Bulgaria
Broadcast date	15/03/2020
Closure date	

Recipients

Recipient authority	Authority informal title: SLO Bulgaria 2019 Authority name: SLO Bulgaria 2019 Country: Bulgaria
Recipient authority	Authority informal title: CPC - Sample Authority Name Authority name: CPC - Sample Authority Name Country: Italy

Legal basis

European legal basis

Applicable EU legislation	Directive (EU) 2015/2302 on package travel and linked travel arrangements
	Relevant articles in the selected EU legislation
Directive (EU) 2015/2302	(en) Sample

National legal basis

Information on the national legal basis	Relevant
Details of national legal basis	(en) Sample
Attachment	File name: Sample attachment.txt Added by: BG - SLO Bulgaria 2019 Added on: 15/03/2020 23:33 CET
Link to national legal basis	https://www.sample.com/

Trader details

Name of the trader

Trader name	Known
Does the trader name include personal data?	Yes
Trader name (with personal data)	Sample 1
Does the trader have other trading name(s)?	Yes, see details below
Alternative name 1	Sample 2
Alternative name 2	Sample 3

Trader's presence on the Internet

Online Interface / Website of the trader	Known
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Details of the online interface - 1

Type of online interface	Mobile Application (App)
Name	Sample App
Direct link	https://www.sample.com/
Attachment	File name: Sample screenshot.png Added by: BG - SLO Bulgaria 2019 Added on: 15/03/2020 23:33 CET
Additional information	(en) Sample

Details concerning the trader

Name of trader's legal representative	Sample
Other representative of the trader (e.g.: executive)	Sample
Legal form of the trader	(AT) Aktiengesellschaft, AG
Is there a parent company?	Yes, see details below

Name of parent company	Sample
Name(s) of company director	Sample

Type of business / sector

Type of business / sector	Known
Type of business / sector	Advertiser
Activity(ies) of the trader	Accounting/audit/business or legal consultancy services

Identification

TAX / VAT number	Known
TAX / VAT	123
Other type of identification	Available
Commercial / company registration	Sample
Professional registration number	Sample
Bank account number	Sample
Other registration number	Sample

Establishment details

Address of the trader	Known
Street name and number	Sample
Town / City	Sample
Postcode	Sample
Country	Bulgaria
Does the trader have an additional address?	Yes, see details below
Additional address of the trader	Sample
Does the trader also operate in other EEA countries?	Yes, see details below
EEA Member States where the trader operates	Austria Bulgaria Greece

E-mail address and other contact details

E-mail address and other contact details	Available
E-mail address (functional box)	Sample@Sample.Sample
Telephone number	123
Contact person	Sample
Contact person E-mail address	Sample@Sample.Sample
Social media account	Sample

Additional Information and updates

Additional information about the trader	(en) Sample
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Information on the infringement

Type and nature of the infringement

Short summary of the infringement / suspected infringement	(en) Sample
Short summary of the infringement / suspected infringement - complementary information	(en) Sample
Nature of the infringement	Verified
Status of the infringement	Ongoing
Assumed type of infringement	Widespread infringement with a Union dimension
Justification why Union dimension of infringement is suspected	(en) Sample
Additional information about the infringement	(en) Sample

Product/service and media involved

Name of product or service	(en) Sample
COICOP classification	CLOTHING AND FOOTWEAR (03)
Level 2	Clothing (03.1)
Level 3	Cleaning, repair and hire of clothing (03.1.4)
Advertising medium	Face to face
Sales medium	Face to face Social media
Estimated number of impacted consumers in total	20000
Estimated financial detriment / year	20000.0 EUR
Number of complaints received in total	999
Information on harmfulness of the infringement	Many consumers harmed Repetitive infringement Vulnerable consumers

Questions and answers

Involvement of designated bodies

Does the applicant authority agree to the involvement of designated bodies in processing this request, if the requested authority complies with the request?	Yes
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Request category

Request category(ies)	[A] Information on the trader, on the infringement and on investigations, if any [B] Information on evidence of the infringement and/or on any enforcement measure taken by the requested authority [C] Other questions concerning mutual assistance under the CPC Regulation
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[A01] Is the trader concerned established in your Member State?

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[A02] Can you identify the trader behind the online interface referred to in the request?

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[A03] Does the trader act under different trading names in your Member State?

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[A04] Is the trader directing activities to consumers in your Member State?

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[A05] According to your assessment, is the trader's commercial practice in line with EU law requirements (including after sales)?

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[A06] Have you received complaints on the issue?

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[A07] Would you agree that our officials could accompany / cooperate with your officials in the course of their investigation (Article 11(3) of the CPC Regulation)?

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[A08] Have you carried out any investigation regarding the same trader on this infringement / suspected infringement?

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[A09] Other questions related to information on the trader, infringement or investigations

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[B01] Please provide any relevant evidence (document / data / information) available to your authority, or that you can obtain by using the powers outlined in Article 9(3) of the CPC Regulation, which is relevant to determine whether an infringement of EU consumer laws has occurred or is occurring.

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Request details	(en) Sample
The applicant authority would like to receive the following evidence in particular:	(en) Sample
Response	
Detailed response	

[B02] Could you indicate what type of evidence would your authority require to take an action against the trader, if we sent a request for enforcement measures?

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[B03] Could you obtain written statements from consumers who have been harmed by the trader's commercial practice?

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[B04] Have you taken any enforcement measure(s) on the trader concerned on the suspected infringement covered by this request?

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[B05] Other questions related to the enforcement measure(s) on the trader concerned on the suspected infringement covered by this request

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[C01] Please provide information about the structure of consumer protection authorities (CPC competent authorities) in your country.

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[C02] Please describe the investigation and enforcement powers available to your authority and the way how you exercise them.

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[C03] Please provide information on how you instruct designated bodies and what are their competencies and powers (if applicable).

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[C04] Other questions concerning mutual assistance under the CPC Regulation.

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Attachments and comments

Management Information

Form	CPC - Notification of refusal to comply with a request for information - Art. 14(1)
Management type	Notification
Number	9842
Status	Open for comments
Version	1
Last update	15/03/2020 23:34 CET

History

History Item	Version: 1 Action: Broadcast Old status: Awaiting approval New status: Open for comments Modified by: USER Default Date: 15/03/2020 23:34 CET
History Item	Version: 1 Action: Submission for approval Old status: Draft New status: Awaiting approval Modified by: USER Default Date: 15/03/2020 23:34 CET
History Item	Version: 1 Action: Creation of draft version Old status: Initial New status: Draft Modified by: USER Default Date: 15/03/2020 23:33 CET

Link

Link Item	Repository Name: CPC - Request for information - Art. 11(1) Entry Number: 9841 Link Type: Created from Linked By: SLO Bulgaria 2019 Date: 15/03/2020 23:33 CET
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Initiating Authority

Authority name	SLO Bulgaria 2019
Authority informal title	SLO Bulgaria 2019
Country	Bulgaria
Address	Main Street 1000 Sofia
Telephone	+123456789
Fax	
E-mail	slobg@slobg.zxca

Initiating Authority

Authority name	SLO Bulgaria 2019
Authority informal title	SLO Bulgaria 2019
Country	Bulgaria
Address	Main Street 1000 Sofia
Telephone	+123456789
Fax	
E-mail	slobg@slobg.zxca

Initiating Coordinator

Authority name	SLO Bulgaria 2019
Authority informal title	SLO Bulgaria 2019
Country	Bulgaria
Address	Main Street 1000 Sofia
Telephone	+123456789

Fax	
E-mail	slobg@slobg.zxca

EU

Authority name	CPC COM CPC COM CPC COM
Authority informal title	CPC COM
Country	EU
Address	Main Street 1000 Brussels
Telephone	+123456789
Fax	
E-mail	CPCCOM@CPC.COMzzz